

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 10, 2007

The Hamilton County Board of Commissioners met on Monday, September 10, 2007 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 1:15 p.m. in Conference Room 1A. Vice President Altman called the public session to order at 1:54 p.m. and declared a quorum present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commissioner Steven C. Dillinger was absent. Commissioner Holt led the Pledge of Allegiance.

Approval of Minutes

Holt motioned to approve the minutes of August 27, 2007 and August 31, 2007. Altman seconded. Motion carried unanimously.

Executive Session Memoranda

Holt motioned to approve the Executive Session Memoranda of September 10, 2007. Altman seconded. Motion carried unanimously.

Highway Business [1:55]

Open Road Cut Permits

Mr. Jim Neal requested approval of Open Road Cut Permits: (1) RDCUT 2007-005 for the Town of Sheridan 293 feet east of center line of West Road on 241st Street. Holt motioned to approve. Altman seconded. Motion carried unanimously. (2) RDCUT 2006-005 for Thomas W. Davis 100 feet west of Lamong Road on 216th Street. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit – Highway Department

Neal requested acceptance of Bonds and Letters of Credit for the highway department. (1) HCHD #B-07-0031 – Travelers Casualty & Surety Company Permit Bond No. 104976950 issued on behalf of Streetscape Company in the sum of \$5,000 for work in county right of way to expire August 21, 2008. (2) HCHD #B-06-0035 – Erie Insurance Company Permit Bond Continuation Certificate Q92 5970224R issued on behalf of Vision Builders, LLC to expire August 9, 2008. (3) HCHD #B-07-0032 – Bond Safeguard Insurance Company maintenance Bond #5008190 issued on behalf of The Marina Limited Partnership in the sum of \$36,228.53 for streets and curbs in Cambridge Section 9 for a period of three years to expire September 6, 2010. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Highway Department

Neal requested the release of Bonds and Letters of Credit for the highway department. (1) HCHD #B-00-0125 Developers Surety and Indemnity Company Permit Bond No. 885969C issued on behalf of Estridge Development Company for Centennial Public/Private Road approach, 15200 Ditch Road. (2) HCHD #B-01-0075 Developers Surety and Indemnity Company Permit Bond No. 886515C issued on behalf of Estridge Development for 3848 W. 141st Street, 1900 feet west of Shelborne Road, north side. (3) HCHD #B-03-0092 Developers Surety and Indemnity Company Permit Bond No. 888592C issued on behalf of Estridge Development for a road cut for private road approach for Centennial, Section 8. (4) HCHD #L-05-0003 – Fifth Third Bank Letter of Credit #CIS404111 for Marina Limited for street signs, curbs, in Section 9 of Springs of Cambridge. (5) HCHD #B-04-0031 Lexon Insurance Company Subdivision Bond #1006165 issued on behalf of G&L Development Company, Inc. for public/private road approach at Lynn Drive and Fall View Drive, Fishers. Holt motioned to approve. Altman seconded. Altman asked if we have received compensation on the bonds for the section we had to reconstruct for the Marina Limited? Holt stated that was for drainage board, this is for Springs of Cambridge, which is west of Olio; Thor Run is east of Olio. Motion carried unanimously.

Bridge #213 Inspection Agreement

Neal requested approval of the Inspection Agreement, HCHD #A-07-0001, between Hamilton County and Britton Park Development LLC, for Bridge #213, Parkside Drive over Britton Branch in Fishers Marketplace Development at 131st Street and S.R. 37. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Neal requested approval of the Inspection Agreement, HCHD #A-07-0001, between Hamilton County and American Structurepoint, Inc., for Bridge #213, Parkside Drive over Britton Branch in Fishers Marketplace Development at 131st Street and S.R. 37. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Streets

Springs of Cambridge, Section 9

Neal requested acceptance of streets in Springs of Cambridge, Section 9. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Official Actions

Springs of Cambridge, Section 9 Regulatory Signs

Neal requested approval of the official action for installation of regulatory signs for the Springs of Cambridge, Section 9. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Prairie Baptist Road Closure

Neal requested permission to close Prairie Baptist Road between 156th Street and S.R. 38 beginning on or after Monday, September 24, 2007 for a period of 60 calendar days for replacement of Bridge #171. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #224, Allisonville Road over Stony Creek

Mr. Matt Knight requested a consultant be selected for Bridge #224, Allisonville Road over Stony Creek in Noblesville Township. The bridge has had a continuing deck problem and has an area where the deck is beginning to fail and corrective action is needed. Knight recommended the bridge design process begin so they can evaluate the scope of work. At the very least it will be a complete deck replacement and they will also evaluate the rest of the bridge to see if a complete bridge replacement is needed. The original bridge was built in 1940. Recommended consultants are Beam, Longest & Neff, Janssen & Spaans Engineering, and USI Consultants. Holt motioned to use Beam, Longest & Neff. Altman seconded. Motion carried unanimously.

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Bid Opening [2:04]

Resurface Contract Contract 07-3, Various Roads in Adams and Washington Townships

Mr. Mike Howard opened the bids for Resurface Contract 07-3, various roads in Adams and Washington Townships. Form 96, Non-Collusion Affidavit, Bid Bond and Financial Statement are included unless otherwise specified. (1) Calumet Asphalt - \$577,281.75. (2) E & B Paving - \$606,353.00. (3) Grady Brothers - \$573,200.00. (4) Milestone Contractors \$665,700.00. (5) Rieth-Riley - \$686,600.00. (6) Shelly & Sands \$616,304.69. Howard recommended the bids be forwarded to the highway department for review and recommendation later today. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Permission to Advertise

Resurface Contract 07-3, Various Roads in Noblesville and Wayne Townships

Neal requested permission to advertise Resurface Contract 07-3, various roads in Noblesville and Wayne Townships with a bid opening of October 8, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award

Highway Vehicles

Mr. Brad Davis recommended the bids for the two highway pick-up trucks be awarded to Wyant Ford in the amount of \$24,324 each for a total of \$48,648 and the two Hybrid SUV's awarded to Wyant Ford in the amount of \$24,874 each for a total award of \$49,748. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Federal Aid Submittals

Davis requested approval of the list of Federal Aid Project Submittals to the Indianapolis call for projects for Group I Urban STP Funds.

- (1) Olio Road reconstruction from 104th Street to the bridge over Geist Reservoir.
- (2) Olio Road reconstruction from 96th Street to 104th Street
- (3) 146th Street west
- (4) Pedestrian bridge along the Monon Trail over 146th Street
- (5) 161st Street and Gray Road intersection improvement
- (6) 206th Street reconstruction from Hague Road (including realignment with 209th Street) to SR 19.

Also 206th Street reconstruction from SR 19 to Cumberland Road.

Davis stated he has contacted Cicero and made them aware of the project call. They may be interested in resubmitting their application for the sidewalk along the causeway. Cicero will be sending their rejected application to Davis for his review. The county will not be submitting the project, we can be co-signers with Cicero has the primary. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Highway Meeting

Davis stated representatives from the Town of Sheridan will be attending the September 28 Friday morning highway meeting.

146th Street Ribbon Cutting Ceremony

Davis stated the 146th Street ribbon cutting ceremony will be held October 1, 2007 at 11:00 a.m.

ISSD [2:14]

2007 Base Map Update Contract

Mr. Larry Stout requested approval of the professional services agreement with eMap International, LLC for a the 2007 Base Map Update Quality Control Project in the amount of \$47,640.00. Stout stated they have asked for a waiver of the insurance as they have no vehicles and no employees other than their project manager in Indiana. Altman asked if there is any way they can corrupt our data or seriously affect our system with their contract? Stout stated no, we only send them a copy. Altman stated this contract limits their exposure; it is very oriented to the vendor. We should look at a standard contract to give to them. Howard stated the letter requesting relief from our insurance liability issues points out that their professional liability insurance is in place. In looking at Section 5.8.2 and 5.8.3 of the contract, if they have no automobile therefore no automobile policy it might be appropriate to exclude those however the section on 5.8.1 on Workers Compensation in the appropriate jurisdiction should be required. It is his understanding that all of the work will be performed in the State of Pennsylvania. If they don't have worker's compensation we could be an agent and have liability. Howard suggested the contract be approved with the requirement that they provide a copy of their professional liability insurance and the workman compensation coverage program in the State of Pennsylvania deleting 5.8.2 and 5.8.3. Holt so moved. Altman seconded. Motion carried unanimously.

Purchase Orders

Ms. BJ Casali requested approval of a purchase order with Kronos for 400 licenses for Workforce Employee v5 which allows up to 400 employees to keep track of their own accruals. The cost is \$6,000 with an annual cost of \$1,200. Altman asked why only 400 employees? Casali stated they are going to test it with the 400 employees first. Altman asked if we have negotiated the cost to increase it? Casali stated yes, it is a cost per employee. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Casali requested approval of a purchase order for a one year maintenance agreement on ten (10) HP servers at a cost of \$12,856. Funding is available in the 2007 budget. If there is a problem HP would be on site within four hours during the hours of 8-5 Monday thru Friday to repair a server. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Casali requested approval of a purchase order for a one year maintenance agreement for our Internet filtering software at a cost of \$18,844.85. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Casali requested approval of a purchase order for two (2) GIS PC's for Jared Fowler and Joe Seig at a total cost of \$7,621.50. Funding is available and it was a planned replacement for 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Casali requested approval of the emergency purchase of a Dell server with a four year on site warranty at a cost of \$8,369.46. The cost is higher than originally quoted to the Commissioners and is due to the four year warranty. This is a 24/7, 365 days for replacement if a part or all of the server should fail. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Casali asked to clarify the emergency procedure if this should happen again; should she contact the commissioners in advance for approval before she orders replacement equipment? Altman stated that is fine. Casali stated they are still suffering the consequences of the temperature increase in the computer room and they don't know what else will fail. The computer room reached over 100 degrees twice in one day, which is a grave concern. Holt

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motioned that if BJ (Casali) determines we are in an emergency mode that can't wait until the next commissioners meeting that she have the authority to replace failed equipment, Altman added on State QPA? Holt stated yes. Altman seconded. Motion carried unanimously.

Casali thanked Kevin Sloderback, Chris Kuner and Zack Serine for all of their work to get the failed server up and running.

Community Development Block Grant

Howard stated Mark McConaghy has informed him that the Noblesville Housing Authority is audited annually for federal housing purposes and they will provide the county a copy of their audit and within 30 days of the completion of each future audit. McConaghy stated the State Board of Accounts audits the CDBG grant and they are audited on every penny spent.

Mr. Mark McConaghy requested approval of two letters to the Indiana State Historic Preservation office requesting permission to complete repairs on a property over 50 years old. Altman asked if Holt feels comfortable that these letters be listed on the agenda, under Fred Swift's portion, and Mark does not have to take his time to come to the meeting? Holt stated yes. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Commissioner Committee Reports [2:27]

Transit

Altman stated Terri Austin is holding her second public hearing on mass transit. The first meeting she attended but did not testify. It was basically INDOT explaining what monies they handle and sources of federal grants. INDOT views mass transit as a regional issue, not a State issue. This morning's meeting was for the MPO's who do transit planning. She attended this morning's meeting and prefaced the discussion on what they are doing and the funding concerns. If we are going to have any more start-up entities we will have to find a source of funding for the local match for federal funds, if not the whole match because the best we would have is 50/50 funding on new starts. Altman thinks the transportation committee understands but this is the first step on giving us tools in the region if we determine transit is necessary. This would be sales tax, use tax, some type of revenue because property tax is not going to cover it. We need to figure out what works in a region. There was also a speaker, Paris Glendening a former governor, that spoke of the benefits of transit.

2007 UASI Grant

Altman stated they have been meeting on the 2007 UASI Grant monies. They will start the 2008 planning. Altman stated they have received approval from Council to hire a strategist for the region; it will be our employee and covered under UASI funding.

Administrative Assistant [2:31]

Marion Adams Schools Wage Determination Committee Appointment

Holt motioned to amend the agenda. (Carmel Parks Department to Marion Adams Schools). Altman seconded. Motion carried unanimously.

Mr. Fred Swift stated Marion Adams Schools has requested a Wage Determination Committee appointment and has recommended Brian Jones. Holt motioned to appoint Brian Jones to the Marion Adams Wage Determination Board. Altman seconded. Motion carried unanimously.

Noblesville Main Street

Swift stated Noblesville Main Street has requested use of the historic courthouse lawn on October 5, 2007 for First Friday Event. They are hoping to show old movies along with a musical group performance. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claim

Swift requested approval of a Liability Trust claim for payment of Buckland & Associates in the amount of \$4,990 for progress payment #1 for the appraisals of county buildings. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Animal Control Officer

Swift stated Tom Rogers, Hamilton County Animal Control Officer, has distributed suggestions for kennel licensing to the commissioners. Altman asked that a copy of the suggestions be forwarded to the county attorney.

First Indiana Bank Building [2:35]

Altman asked how much were the windows verse the roof on the First Indiana Bank building? Holt stated the windows were about half, we could get in the building for under \$100,000 if we don't replace the windows. Holt stated he thinks we should not replace the windows and move forward. Holt motioned to agree to renovate the First Indiana building for office space rather than tear it down and we put it on the council agenda and request that they fund it. Altman stated based on Envoy estimates? Holt stated based on Envoy estimates and he would recommend they not replace the glass. Altman stated it would be roof only with air testing first? Holt stated their initial recommendation that we would do an air test before we move forward. Holt changed his motion to seek funding to do the air test. Altman stated she would assume there is money in the budget for the air test. Holt amended his motion to have Scott Warner to have our air quality people test the air in that building. Altman seconded. Motion carried unanimously.

Sheriff [2:38]

Sheriff Vehicles

Sheriff Doug Carter requested permission to advertise for the 2008 Sheriff vehicles. It will take 10 to 12 weeks for delivery. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award

Resurface Contract 07-3

Neal recommended the bid for Resurface Contract 07-3, various roads in Adams and Washington Townships, be awarded to Grady Brothers in the amount \$573,200. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Auditor [2:40]

Resolution 09-10-07-1, 2008 Cumulative Courthouse Fund Levy

Ms. Robin Mills requested approval of Resolution 09-10-07-1, 2008 Cumulative Courthouse Levy. Altman asked why is there no increase? Mills stated we have to maintain this levy. Altman stated it seems being AV driven it would be adjusted. Mills stated according to Mike Reuter it is to maintain. Howard stated his understanding was that Mike Reuter put the cumulative initiative as high as it would go without pulling from the general fund. Altman asked why is it static? Howard stated the requirement of some cumulative initiative is an absolute number, it is not an

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increasing number. Altman asked Mills to get an explanation for her. Holt motioned to approve. Altman seconded. Motion carried unanimously.

2006 Emergency Management Performance Grant

Mills requested approval of the application for the 2006 Emergency Management Performance Grant. Mr. Arvin Copeland stated this is the 50% subsidy EMA receives for their salaries. This application is for 2005-2006. Holt motioned to approve. Altman seconded. Altman asked if this covers all three employees? Copeland stated yes. Motion carried unanimously.

Clerk of the Circuit Court and Surveyor's 2008 Agreements

Mills requested approval of the 2008 compensation agreements for the Clerk of the Circuit Court and the Surveyor. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit – Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. (1) HCDB-2007-00044 Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 770176S for Lincolnshire Section 2, storm sewer improvements in the amount of \$116,808. (2) HCDB-2007-00045 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 770177S for Lincolnshire Section 2 – subsurface drains in the amount of \$31,620. (3) HCDB-2007-00046 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 770178S for Lincolnshire Section 2 monumentation in the amount of \$3,780. Holt motioned to approve. Altman seconded. Motion carried unanimously

Release of Bonds/Letters of Credit – Drainage Board

Mills requested the release of Bonds and Letters of Credit for the drainage board. (1) HCDB-2003-00080 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5006644 for Riverwalk Commons Subdivision storm sewers in the amount of \$178,211. (2) HCDB-2003-00081 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5006645 for Riverwalk Commons Subdivision erosion control in the amount of \$14,175. (3) HCDB-2005-00124 – Bond Safeguard Insurance Company Subdivision Bond No. 5019824 for Long Ridge Estates Section 2 erosion control in the amount of \$12,000. (4) HCDB-2005-00126 – Bond Safeguard Insurance Company Subdivision Bond No. 5019826 for Long Ridge Estates Section 2 storm sewers and subsurface drains in the amount of \$237,158.40. (5) HCDB-2006-00040 – Travelers Casualty and Surety Company of America Subdivision Bond No. 104-741906 for Deer Path Sections 12 & 16 floodway mitigation and storm sewers in the amount of \$8,990. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the period of August 13-26, 2007 paid September 7, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid September 11, 2007. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Holt motioned to adjourn. Altman seconded. Motion carried unanimously.

Commissioner Correspondence

NovaStar Notice of Facility Closing

Notice of Public Hearing:

110 Lakeview Drive - Noblesville

IDEM Notice of Sewer Permit Application

The Highlands at Stony Creek, Section 4C – Noblesville

Village of West Clay Penthouse “A” – Carmel

IDEM Notice of Sanitary Sewer Construction Permit Application

Anderson Hall, Section-4, Town Homes – Fishers

Britton Falls, Subdivision, Area 2, Sections 3A, 3B, 3C, and 4B - Fishers

Fishers Marketplace Infrastructure - Fishers

Hamilton Proper- Lifestyle Center

Slater Ridge-Section 3 – Noblesville

Slater Woods, Section 2 – Noblesville

The Legacy Master Infrastructure-Phase One – Carmel

Certificate of Liability Insurance

Benner Mechanical & Electrical, Inc.

Moore Engineers, P.C.

Present

Christine Altman, Commissioner

Steven A. Holt, Commissioner

Fred Swift, Administrative Assistant to Commissioners

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Michael Howard, Attorney

Doug Carter, Sheriff

Brad Davis, Highway Director

Jim Neal, Highway Engineer

Amber Emery, Highway Public Service Representative

Dave Lucas, Highway inspector

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Knight, Highway Staff Engineer

Joel Thurman, Highway Staff Engineer

Faraz Khan, Highway Staff Engineer

Kathy Howard, Highway Administrative Assistant

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Bob Davis, Highway Superintendent
Tania Lopez, Indianapolis Star
Patti Smith, Beam, Longest & Neff
Floyd Burroughs, FEBA
Becki Wise-Kent, USI
Mike Keeve, DLZ
Sheila Cooper, Grady Brothers, Inc.
Larry Stout, GIS Manager
BJ Casali, ISSD
Arvin Copeland, EMA
Mark McConaghy, Noblesville Housing Authority

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor